

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

FILED BY S D.C.
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CLERK, U.S. DISTRICT COURT
WID OF TENN. JACKSON

KAREN WRIGHT and
GILEY WRIGHT,

Plaintiffs,

VS.

NO.: 1-04-1313-T/AN

WALGREEN CO.,

Defendant.

AGREED PROTECTIVE ORDER REGARDING MEDICAL RECORDS

IT APPEARING TO THE COURT that the parties agree to the entry of a Protective Order regarding medical records for the purpose of satisfying the requirements under the Health Insurance Portability and Accountability Act of 1996 ("HIPAA"), so that medical records may be subpoenaed according to the Tennessee Rules of Civil Procedure.

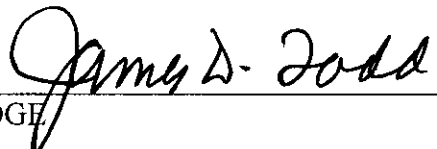
IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED that:

The parties shall be permitted to acquire medical records through subpoena duces tecum served upon the appropriate medical records custodians as provided under the Tennessee Rules of Civil Procedure, subject to the following two requirements:

- (1) The parties are prohibited from using or disclosing the protected health information acquired through subpoena for any purpose other than the present litigation for which the information is requested; and
- (2) The parties are required to return the information to the medical provider from which the medical records are subpoenaed, or destroy the health information

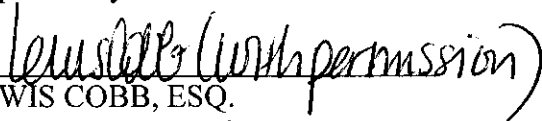
(including all copies made) at the end of the litigation, proceeding or a time designated by the parties.

- (3) This Protective Order does not permit the Defendant to obtain any materials or records not discoverable under the Federal Rules of Civil Procedure, specifically records retained or created by non-testifying consulting experts.

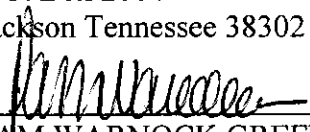


JUDGE
DATE: 3 October 2005

Approved by:



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Notice of Distribution

This notice confirms a copy of the document docketed as number 15 in case 1:04-CV-01313 was distributed by fax, mail, or direct printing on October 3, 2005 to the parties listed.

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Honorable James Todd
US DISTRICT COURT